



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/856,728	05/24/2001	Rudolf Schneider	ZAHFRIP335US	3777

20210 7590 10/03/2002

DAVIS & BUJOLD, P.L.L.C.
500 NORTH COMMERCIAL STREET
FOURTH FLOOR
MANCHESTER, NH 03101

EXAMINER

ADDISON, KAREN B

ART UNIT	PAPER NUMBER
----------	--------------

2834

DATE MAILED: 10/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/856,728

Applicant(s)

SCHNEIDER ET AL.

Examiner

Karen B Addison

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-23 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 19-22 is/are allowed.
- 6) ☒ Claim(s) 15-18 and 23 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 18 recites the limitation " the housing" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 23 recites the limitation " the housing" in line 6. There is insufficient antecedent basis for this limitation in the claim.

Allowable Subject Matter

3. Claims 19-22 is allowed.

Prior art fails to show a hysteresis ring abutting a peripheral surface on the rotor wherein the pole fingers are interconnected by a non-magnetizable material.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edelstahlwerke (8235610.6) in view of Fehr (3974408).

Edelstahlwerke substantially discloses the claim invention. However, Edelstahlwerke do not disclose the magnetic body supported by two bearing, the rotor collar and guard rings mounted on the shaft.

Ferh teaches a magnetic field motor comprising a collar (12a), two bearings (3a, 3b) and guard rings (A&B) mounted on the shaft (2) forming axial stops on which abuts respective inner rings of the ball bearings for the purpose of support the magnetic body. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the magnetic motor of Edelstahlwerke with the teaching of Ferh's support structure for the purpose of reinforcing the magnetic core.

6. Claim 18 rejected under 35 U.S.C. 103(a) as being unpatentable over Edelstahlwerke in view of Ferh as applied to claims 15-17 above, and further in view of Fey (4713567).

As seen above in paragraph 5 Edelstahlwerke disclose a magnetic motor comprising hysteresis rings and Ferh disclose a magnetic field motor having a support structure for the magnetic core. However, neither Edelstahlwerke nor Ferh discloses a current supply shifted through a free space formed between the pole fingers.

Fey teaches a break device comprising: a magnetic body (19) fasten to the housing and a current supply (53) disposed in a free space formed between the pole fingers (23,21) for the purpose of energizing an axial air gap current in the housing. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the magnetic motor of Edelstahlwerke with the teaching of ferh's support structure for the magnetic core and Fey's current supply for the purpose of ensuring adequate cooling of the rotor.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen B Addison whose telephone number is 703-306-5855. The examiner can normally be reached on 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on 703-308-1317. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3431 for regular communications and 703-305-3431 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

KBA
September 30, 2002


NESTOR RAMIREZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGICAL CENTER 2800